

FIRST REGULAR SESSION

HOUSE BILL NO. 863

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGAUGH.

1808H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 316.160, RSMo, and to enact in lieu thereof one new section relating to festival liability insurance.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 316.160, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 316.160, to read as follows:

316.160. Application for a license to operate, maintain or conduct a festival shall be made in writing to the county clerk at least sixty days prior to the time indicated for the commencement of the planned festival and shall be accompanied by a nonrefundable application fee established by the governing body of the county but not more than one hundred dollars. The application, at the discretion of the governing body of the county, shall contain the following information:

(1) The name, age, residence and mailing address of the person making the application. If the application is made by a partnership, the names and addresses of the partners must appear. Where the applicant is a corporation the application must be signed by the president, vice president and secretary of the corporation and must contain their addresses, and a certified copy of the articles of incorporation shall be submitted with the application;

(2) Proof of financial worth of the individuals or corporation. The proof of indemnity against injury or loss to persons or property and said amount and form of the indemnity shall be prescribed by the governing body of the county;

(3) A written statement of the kind, character, or type of festival which the applicant proposes to operate, maintain or conduct. **However, members of the fair board of directors in any county of the third classification with a township form of government and with more**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **than nine thousand but fewer than ten thousand inhabitants and with a special charter city**
19 **with more than three thousand but fewer than four thousand inhabitants as the county seat**
20 **shall not be required to have liability insurance;**

21 (4) The address or legal description of the place where the proposed festival is to be
22 operated, maintained or conducted. Additionally, the applicant must submit proof of ownership
23 of the place where the festival is to be operated, maintained or conducted, or a statement signed
24 by the owner of the premises indicating his consent that the site be used for the proposed festival;

25 (5) The dates and hours during which the festival is to be operated, maintained or
26 conducted;

27 (6) An estimate of the number of customers, spectators, participants and other persons
28 expected to attend the festival for each day it is operated, maintained or conducted;

29 (7) The name and address of anyone contributing, investing or having a financial interest
30 greater than five hundred dollars in producing the festival;

31 (8) A detailed written explanation of the applicant's plans to provide security and fire
32 protection, water supply and facilities, food supply and facilities, sanitation facilities, medical
33 facilities and services, vehicle parking space, vehicle access and onsite traffic control, and, if it
34 is proposed or expected that spectators or participants will remain at night or overnight, the
35 arrangements for illuminating the premises and for camping or similar facilities. The applicant's
36 plans shall include what provisions shall be made for numbers of spectators in excess of the
37 estimate, and what provisions shall be made for cleanup of the premises and removal of rubbish
38 after the festival has concluded;

39 (9) A plot plan showing arrangement of the facilities including those for parking, egress
40 and ingress.

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